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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

JOHN DARE SHIPMAN,

Defendant and Appellant.

B265611

(Los Angeles County
Super. Ct. No. BA398663)

APPEAL from an order of the Superior Court of Los Angeles County. William N. Sterling, Judge. Affirmed.

Laini Millar Melnick, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

* * * * *

In June 2012, defendant John Dare Shipman was convicted of first degree burglary (Pen. Code, § 459). On April 10, 2015, defendant filed a petition for resentencing and reduction of the offense to a misdemeanor (§ 1170.18, subd. (f)). On April 20, 2012, the trial court denied his petition, finding that defendant's first degree burglary conviction did not qualify for resentencing under section 1170.18, subdivision (f). Defendant filed a timely notice of appeal.

We appointed appellate counsel to represent defendant. Appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) in which no issues were raised. The brief included a declaration from counsel that she reviewed the record and sent a letter to defendant explaining her evaluation of the record. Counsel further declared that she advised defendant of his right, under *Wende*, to submit a supplemental brief. Defendant did not file any supplemental brief with this court. However, defendant did file a request that his appointed appellate counsel be relieved, without any argument or explanation supporting the request.

We have examined the entire record, consisting of one volume of a clerk's transcript and one volume of a reporter's transcript, and are satisfied that appointed counsel fully complied with her responsibilities and that no arguable appellate issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106; *Wende, supra*, 25 Cal.3d 436.) Accordingly, we deny defendant's summary request to relieve his counsel (see, e.g., *People v. Marsden* (1970) 2 Cal.3d 118, 123) and affirm the order below.

DISPOSITION

The order is affirmed.

GRIMES, J.

We concur:

BIGELOW, P. J.

FLIER, J.